IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.4346 OF 2006

Mr.Harish Dhanrajmal Wadhiya .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri.Shirish Gupte, senior counsel with Shri.S.P.H.Hulyalkar & Manik Gargote for the applicant.

Shri.M.S.Mhambre, A.P.P. for the State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13TH DECEMBER, 2006

P.C.:

1. This application is identical to Criminal Application No.4325 of 2006. The applicant is enlarged on bail in the same terms and for same reasons. The applicant undertakes to complete the project and put the flat purchasers in possession of the flats. This would include the complainants as well.

2. Hence, the following order : -

ORDER :

(i) Applicant is directed to be released on bail in connection with the C.R.No.660 of 2006, registered with Swargate Police Station, Pune on executing personal bond in the sum of Rs.50,000/- (Rs.Fifty thousand only) with one or two local sureties in like amount.

(ii) The applicant shall not influence prosecution witnesses or tamper with the prosecution evidence in any manner, whatsoever.

(iii) The applicant shall report to the concerned police station once in a week on every Saturday between 5.00 p.m. and 7.00 p.m. till conclusion of the trial. The applicant shall deposit his passport, if any, with the Investigating Machinery. The applicant shall not leave India without prior permission of the Trial Court.

(iv) The applicant shall disclose his place of residence to the Investigating Officer as well as the trial court where he would stay after the release on bail and shall report to the trial court before he travel beyond the State of Maharashtra where he would ordinarily reside.

(v) The applicant shall co-operate for early disposal of the trial. In the event, the trial court is of the opinion that the applicant is responsible for delay in trial, that be recorded in roznama and that can be the basis for cancellation of bail.

(vi) Application disposed of.

(S.C.Dharmadhikari, J.)